

PTO/SB/30 (09-04)

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|   |                        |                       |
|---|------------------------|-----------------------|
| <b>Request<br/>For<br/>Continued Examination (RCE)<br/>Transmittal</b><br><br>Address to:<br>MS RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Application Number     | 09/916611-Conf. #8709 |
|   | Filing Date            | July 27, 2001         |
|   | First Named Inventor   | Johnnie R. Roberts    |
|   | Art Unit               | 1616                  |
|   | Examiner Name          | A. N. Pryor           |
|   | Attorney Docket Number | 00306-00142-USU       |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$ 790.00 enclosed

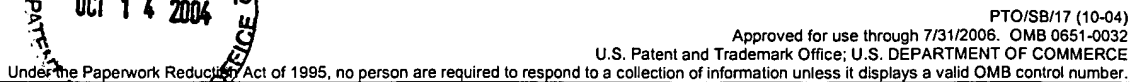
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |                   |                  |          |
|---|-------------------|------------------|----------|
| Signature   |                   | Date             | 10/15/04 |
| Name (Print/Type)                                   | Ashley I. Pezzner | Registration No. | 35,646   |

10/15/2004 MAHMED1 00000077 09916611

01 FC:1801

790.00 DP



*Effective 10/01/2004. Patent fees are subject to annual revision.*

☐ Applicant claims small entity status. See 37 CFR 1.27

|                                |             |               |
|--------------------------------|-------------|---------------|
| <b>TOTAL AMOUNT OF PAYMENT</b> | <b>(\$)</b> | <b>790.00</b> |
|--------------------------------|-------------|---------------|

**Complete if Known**

|                    |                       |
|--------------------|-----------------------|
| Application Number | 09/916611-Conf. #8709 |
|--------------------|-----------------------|

|             |               |
|-------------|---------------|
| Filing Date | July 27, 2001 |
|-------------|---------------|

|                      |                    |
|----------------------|--------------------|
| First Named Inventor | Johnnie R. Roberts |
|----------------------|--------------------|

|               |             |
|---------------|-------------|
| Examiner Name | A. N. Pryor |
|---------------|-------------|

|          |      |
|----------|------|
| Art Unit | 1616 |
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|                     |                 |
|---------------------|-----------------|
| Attorney Docket No. | 00306-00142-USU |
|---------------------|-----------------|

**METHOD OF PAYMENT** (check all that apply)

|                                     |       |                          |             |                          |             |                          |       |                          |      |
|-------------------------------------|-------|--------------------------|-------------|--------------------------|-------------|--------------------------|-------|--------------------------|------|
| <input checked="" type="checkbox"/> | Check | <input type="checkbox"/> | Credit Card | <input type="checkbox"/> | Money Order | <input type="checkbox"/> | Other | <input type="checkbox"/> | None |
|-------------------------------------|-------|--------------------------|-------------|--------------------------|-------------|--------------------------|-------|--------------------------|------|

☐ Deposit Account:

Deposit  
Account  
Number

03-2775

Deposit  
Account  
Name

**Connolly Bove Lodge & Hutz LLP**

**The Director is authorized to:** (check all that apply)

|                               |   |                         |
|-------------------------------|---|-------------------------|
| Charge fee(s) indicated below | X | Credit any overpayments |
|-------------------------------|---|-------------------------|

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity  | Small Entity   |
|---|--|
| <p>1. <b>Revenue Recognition</b></p> <p>Large entities use the <b>percentage-of-completion</b> method for long-term contracts, recognizing revenue as work progresses. Small entities typically use the <b>cost-of-sales</b> method, recognizing revenue only when the contract is completed.</p> | <p>1. <b>Revenue Recognition</b></p> <p>Small entities use the <b>cost-of-sales</b> method for long-term contracts, recognizing revenue only when the contract is completed.</p> |
| <p>2. <b>Asset Valuation</b></p> <p>Large entities use <b>fair value</b> measurements for assets, which can be more volatile. Small entities often use <b>cost</b> as the basis for valuing assets.</p>   | <p>2. <b>Asset Valuation</b></p> <p>Small entities use <b>cost</b> as the basis for valuing assets.</p>  |
| <p>3. <b>Liability Recognition</b></p> <p>Large entities use <b>fair value</b> measurements for liabilities, which can be more volatile. Small entities often use <b>cost</b> as the basis for valuing liabilities.</p>   | <p>3. <b>Liability Recognition</b></p> <p>Small entities use <b>cost</b> as the basis for valuing liabilities.</p>   |
| <p>4. <b>Income Tax</b></p> <p>Large entities use <b>fair value</b> measurements for income tax, which can be more volatile. Small entities often use <b>cost</b> as the basis for valuing income tax.</p>  | <p>4. <b>Income Tax</b></p> <p>Small entities use <b>cost</b> as the basis for valuing income tax.</p>   |

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
|----------|----------|----------|----------|------------------------|----------|
| 1001     | 790      | 2001     | 395      | Utility filing fee     |          |
| 1002     | 350      | 2002     | 175      | Design filing fee      |          |
| 1003     | 550      | 2003     | 275      | Plant filing fee       |          |
| 1004     | 790      | 2004     | 395      | Reissue filing fee     |          |
| 1005     | 160      | 2005     | 80       | Provisional filing fee |          |

|                     |             |             |
|---------------------|-------------|-------------|
| <b>SUBTOTAL (1)</b> | <b>(\$)</b> | <b>0.00</b> |
|---------------------|-------------|-------------|

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                       |                      |     | Extra<br>Claims      |   | Fee from<br>below    |   | Fee Paid             |
|-----------------------|----------------------|-----|----------------------|---|----------------------|---|----------------------|
| Total Claims          | <input type="text"/> | **- | <input type="text"/> | X | <input type="text"/> | = | <input type="text"/> |
| Independent<br>Claims | <input type="text"/> | **- | <input type="text"/> | X | <input type="text"/> | = | <input type="text"/> |
| Multiple Dependent    |                      |     |                      |   | <input type="text"/> | = | <input type="text"/> |

| Large Entity | Small Entity |
|--------------|--------------|
|--------------|--------------|

| <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Code</u> | <u>Fee (\$)</u> | <u>Fee Description</u>                                     |
|-----------------|-----------------|-----------------|-----------------|--|
| 1202            | 18              | 2202            | 9               | Claims in excess of 20                                     |
| 1201            | 88              | 2201            | 44              | Independent claims in excess of 3                          |
| 1203            | 300             | 2203            | 150             | Multiple dependent claim, if not paid                      |
| 1204            | 88              | 2204            | 44              | ** Reissue independent claims over original patent         |
| 1205            | 18              | 2205            | 9               | ** Reissue claims in excess of 20 and over original patent |

|                     |             |             |
|---------------------|-------------|-------------|
| <b>SUBTOTAL (2)</b> | <b>(\$)</b> | <b>0.00</b> |
|---------------------|-------------|-------------|

**\*\*or number previously paid, if greater; For Reissues, see above**

**FEE CALCULATION** (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge – late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge – late provisional filing fee or cover sheet.                    |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 430      | 2252         | 215      | Extension for reply within second month                                    |          |
| 1253         | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254         | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255         | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1401         | 340      | 2401         | 170      | Notice of Appeal   |          |
| 1402         | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403         | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive – unavoidable   |          |
| 1453         | 1,370    | 2453         | 685      | Petition to revive – unintentional   |          |
| 1501         | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502         | 490      | 2502         | 245      | Design issue fee   |          |
| 1503         | 660      | 2503         | 330      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37CFR 1.129(b))              |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    | 790.00   |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

|                     |             |               |
|---------------------|-------------|---------------|
| <b>SUBTOTAL (3)</b> | <b>(\$)</b> | <b>790.00</b> |
|---------------------|-------------|---------------|

## SUBMITTED BY

|                   |                   |
|-------------------|-------------------|
| Name (Print/Type) | Ashley I. Pezzner |
|-------------------|-------------------|

|                                      |        |
|--------------------------------------|--------|
| Registration No.<br>(Attorney/Agent) | 35,646 |
|--------------------------------------|--------|

(Complete (if applicable))

Telephone (302) 658-9141

**Signature**

Date \_\_\_\_\_

10/5/0 ✓